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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/758,653

01/15/2004

Earl W. Boone

CIS0207US

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02/16/2006

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EXAMINER

NASRI, JAVAID H

ART UNIT

PAPER NUMBER

2839

DATE MAILED: 02/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/758,653

Applicant(s)

BOONE ET AL.

Examiner

Javaid Nasri

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24, 26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-17 and 20-24 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 18, 19, 26 and 27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Objections*

1. Claim 27 is objected to because of the following informalities:
  - a) In claim 27, line 2, "said auto-media detection physical layer protocol circuit" lacks antecedent base.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5, 8-14, 17 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton et al (2005/0063647).

Thornton et al discloses, **for claim 1**, an optical connector interface (212, see Para 0053) coupled to a I/O port and configured to couple an optical network connector (312, see Para 0053) with a mounting surface and couple said optical network connector to a I/O port (see Para 0053); an electrical connector interface (212, see Para 0032) coupled to a I/O port and configured to couple an electrical network connector (see Para 0032 and 0053) with said mounting surface and couple the electrical network connector to a I/O port, wherein said optical connector interface and said electrical connector interface are vertically aligned with one another with respect to said

Art Unit: 2839

mounting surfaces (see figure 10B), **for claim 13**, an optical connector interface (212, see Para 0053) coupled to the network element port circuit at a 1/0 port, an electrical connector interface (212, see Para 0032) coupled to the network element port circuit at the a 1/0 port; and wherein said optical connector interface and said electrical connector interface are substantially adjacent to one another along a line defined by an intersection of a connector-receiving plane of said network element port circuit and a connector-insertion plane of said network element port circuit (see figure 3), **for claims 2, 5, 14 and 17**, registered jack (RJ-45), see Para 0032, **for claims 8, 9, 20 and 21**, indication (LED, see Para 0042), **for claims 10 and 22**, the electrical connector interface comprises an upper connector interface of said network element port circuit, and wherein said optical connector interface comprises a lower connector interface of said network element port circuit (depends on the orientation of the assembly), **For claims 11 and 23**, electromagnetic signal shields. Official notice is taken that electromagnetic signal shields are well known in the art, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Coffey et al to have electromagnetic signal shields to avoid interference, **for claim 12**, the mounting surface comprises a printed circuit board (24),

However, Thornton et al does not disclose:

- a) For claims 1 and 13, a first input/output (I/O) port, a second input/output (I/O) port and a third input/output (I/O) port, as claimed. Compare figure 3 of Thornton et al with figure 1 of the application, they are identical, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Thornton et al to have a first input/output (I/O) port, a second input/output (I/O) port and a third input/output (I/O)

port in view of figure 1 of Thornton et al so that to have the interface connections as claimed,

- b) For claim 24, Thornton et al discloses all the structural limitations of claim 24 as shown above, however, Thornton et al does not describe the method as claimed. The claimed method language is counter part of the apparatus claimed. Therefore, it would have been obvious to one ordinary skill in the art at the time the invention was made to develop a particular method for the disclosed apparatus of the cited references.

4. Claims 3, 4, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thornton et al (2005/0063647) in view of Chiu et al (6,692,159, cited in previous office action). Thornton et al discloses all the limitations of claims 1 and 13, as shown above,

However, Thornton et al does not disclose:

- a) For claims 3 and 15, the optical connector interface comprises an interface of a small form factor pluggable (SFP) optical module. Chiu et al discloses the optical connector interface comprises an interface of a small form factor pluggable (SFP) optical module, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Thornton et al to have the optical connector interface comprises an interface of a small form factor pluggable (SFP) optical module in view of Chiu et al to have different application.
- b) For claims 4 and 16, the optical connector interface comprises an interface of a gigabit interface converter (GBIC) optical module. Chiu et al

discloses the optical connector interface comprises an interface of a gigabit interface converter (GBIC) optical module, therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention for Thornton et al to have the optical connector interface comprises an interface of a gigabit interface converter (GBIC) optical module in view of Chiu et al to have different application.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Allowable Subject Matter***

6. Claims 6, 7, 18, 19, 26 and 27 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### **REASONS FOR ALLOWANCE**

7. The following is an examiner's statement of reasons for allowance:

The reason for allowance of the claims is the inclusion of the limitation,

- a) For claims 6 and 18, none of the prior art teaches or suggest, alone or in combination the electrical isolation circuit comprises one or more magnetic

components, in combination with other limitations in the claim, which is not found in the prior art reference of record.

- b) For claims 7, 19 and 27, none of the prior art teaches or suggest, alone or in combination the network having an auto-media detection physical layer protocol circuit, in combination with other limitations in the claim, which is not found in the prior art reference of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

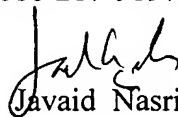
#### **Contact**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javaid Nasri whose telephone number is 571 272 2095. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tulsidas C. Patel can be reached on 571 272 2800 ext 39. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2839

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Javaid Nasri  
Primary Examiner  
Art Unit 2839

JN

Jhn

February 13, 2006